

AMENDED  
APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

No. 60369

Date of filing in State Engineer's Office..... AUG 22 1994  
Returned to applicant for correction..... NOV 10 1994  
Corrected application filed..... JAN 05 1995  
Map filed..... JAN 05 1995

The applicant..... James E. Harris  
HC-62 P.O. Box 9-B....., of..... Nelson.....  
Street and No. or P.O. Box No. City or Town  
Nevada 89046....., hereby make application for permission to appropriate the public  
State and Zip Code No. waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a  
copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... Underground.....  
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is..... 0.004.....second-feet  
One second-foot equals 448.83 gals. per min.  
(a) If stored in reservoir give number of acre-feet.....
3. The water to be used for..... Mining.....  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
- (a) Irrigation, state number of acres to be irrigated.....
- (b) Stockwater, state number and kinds of animals to be watered.....
- (c) Other use (describe fully under No. 12. "Remarks").....
- (d) Power:

- (1) Horsepower developed.....
- (2) Point of return of water to stream..... NE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 10 Township  
26 S., Range 64 E., M.D.M., from which point the Northwest corner of said Section  
10 bears North 82° 41' 30" West a distance of 4185.87 feet.  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

5. The water is to be diverted from its source at the following point.....  
NE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 10, Township 26 S., Range 64 E., M.D.M.
6. Place of use.....  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about..... January 1st.....and end about..... December 31st....., of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... Eight (8) inch well cased to 150 feet total depth.  
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works..... Eight thousand dollars 9 \$8,000.00)
10. Estimated time required to construct works..... Eight (8) inch well cased to 150 feet total  
If well completed, describe works.  
 depth. Two hundred gallon storage tank.
11. Estimated time required to complete the application of water to beneficial use..... One (1) year.
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:  
 Well to service Mocking Bird Mill ( M.S. 5053 ) Annual consumption will vary  
 with quantity of ore milled.

Compared..... pm/ jv ..... cl/jr

By..... s/Kurt E. Shirley  
 Kurt E. Shirley Agent  
 HC-62 Box 11-B  
 Nelson Nevada 89046

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.004 ..... cubic feet per second....., but not to exceed 2.9  
 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... April 9, 1997

Proof of completion of work shall be filed before..... May 9, 1997

Application of water to beneficial use shall be filed on or before..... April 9, 1999

Proof of the application of water to beneficial use shall be filed on or before..... May 9, 1999

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... JUN 04 1997

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P. E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this..... 9th ..... day of..... April.....

A.D..... 96

*[Signature]*  
 State Engineer

CANCELED JUL 25 2003 BECAUSE OF FAILURE  
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT  
*[Signature]* STATE ENGINEER

(PERMIT TERMS CONTINUED)

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the water level in the well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.